

106 KAR 1:240. Local emergency management director appointment process.

RELATES TO: KRS 39B.020

STATUTORY AUTHORITY: KRS 39A.050(2)(m), 39A.070(3)

NECESSITY, FUNCTION AND CONFORMITY: KRS 39B.020 requires a county judge/executive of a county, a mayor of a city or urban-county government, or a chief executive officer of other local government entity to appoint a local emergency management director. This administrative regulation establishes the process to be followed by a county judge/executive, mayor, or chief executive officer of other local government entity to appoint or reappoint a local emergency management director.

Section 1. Definitions. (1) "Candidate" means the individual proposed to be appointed pursuant to KRS 39B.020.

(2) "Local appointing authority" means a county judge/executive, mayor, or chief executive officer of other local government entity.

Section 2. Appointment Process. (1) To appoint a local emergency management director, a local appointing authority shall submit:

(a) A completed Personnel Cabinet Form P-2, "Application for Employment";

(b) A completed KyEM Form 15, "Appointment of Local Emergency Management Director"; and

(c) A written authorization that meets the requirements in KRS 39B.020(3)(d)(1) or (2) or (3) or (4).

(2) If a fiscal court, city commission, or other governing body of a local jurisdiction has adopted administrative procedures that formally establish a personnel merit system, a local appointing authority shall submit a local employment application in lieu of the document specified in subsection (1)(a) of this section. The local employment application shall not be submitted for review by the Personnel Cabinet.

(3) A local appointing authority shall submit the documents specified in subsections (1) and (2) of this section to an appropriate area manager for transmittal to the director within the time period specified in KRS 39B.020(1).

Section 3. (1) Approval Process. Within thirty (30) days of receiving the material specified in Section 2 of this administrative regulation, the director shall:

(a) Request a Personnel Cabinet evaluation of a candidate's qualifications for the position of local director; and

(b) Approve jurisdictional eligibility to apply for supplementary state funds to support the operation and activities of a local emergency management agency.

(2) Funding shall be suspended if the Personnel Cabinet determines a candidate does not meet the qualifications required for the position of local director.

Section 4. Reappointment Process. To reappoint a local director pursuant to KRS 39B.020(3), a local appointing authority shall execute the actions established in Section 2(1)(b) and (c) of this administrative regulation.

Section 5. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Application for Employment, June 16, 1999"; and

(b) "Appointment of Local Emergency Management Director, September 2000".

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Director, Division of Emergency Management, State Emergency Operations Center, 100 Minuteman Parkway, Boone National Guard Center, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. (27 Ky.R. 1985; Am. 2844; eff. 3078; eff. 5-14-2001.)